



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

April 20, 2011

OFFICE OF
SOLID WASTE AND
EMERGENCY RESPONSE

VIA E-MAIL AND FEDERAL EXPRESS

Mr. Charles Rick Berry, Environmental Quality Manager
Mississippi Power
2992 West Beach Boulevard
P.O. Box 4079
Gulfport, Mississippi 39502-4079

Dear Mr. Berry:

On June 29, 2010 the United States Environmental Protection Agency ("EPA") and its engineering contractors conducted a coal combustion residual (CCR) site assessment at the Plant Jack Watson facility. The purpose of this visit was to assess the structural stability of the impoundments or other similar management units that contain "wet" handled CCRs. We thank you and your staff for your cooperation during the site visit. Subsequent to the site visit, EPA sent you a copy of the draft report evaluating the structural stability of the units at the Plant Jack Watson facility and requested that you submit comments on the factual accuracy of the draft report to EPA. Your comments were considered in the preparation of the final report.

The final report for the Plant Jack Watson facility is enclosed. This report includes a specific rating for each CCR management unit and recommendations and actions that our engineering contractors believe should be undertaken to ensure the stability of the CCR impoundment(s) located at the Plant Jack Watson facility. These recommendations are listed in Enclosure 2.

Since these recommendations relate to actions which could affect the structural stability of the CCR management units and, therefore, protection of human health and the environment, EPA believes their implementation should receive the highest priority. Therefore, we request that you inform us on how you intend to address each of the recommendations found in the final report. Your response should include specific plans and schedules for implementing each of the recommendations. If you will not implement a recommendation, please explain why. Please provide a response to this request by May 20, 2011. Please send your response to:

Mr. Stephen Hoffman
US Environmental Protection Agency (5304P)
1200 Pennsylvania Avenue, NW
Washington, DC 20460

If you are using overnight or hand delivery mail, please use the following address:

Mr. Stephen Hoffman
US Environmental Protection Agency
Two Potomac Yard
2733 S. Crystal Drive
5th Floor, N-237
Arlington, VA 22202-2733

You may also provide a response by e-mail to hoffman.stephen@epa.gov

This request has been approved by the Office of Management and Budget under EPA ICR Number 2350.01.

You may assert a business confidentiality claim covering all or part of the information requested, in the manner described by 40 C. F. R. Part 2, Subpart B. Information covered by such a claim will be disclosed by EPA only to the extent and only by means of the procedures set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when EPA receives it, the information may be made available to the public by EPA without further notice to you. If you wish EPA to treat any of your response as “confidential” you must so advise EPA when you submit your response.

EPA will be closely monitoring your progress in implementing the recommendations from these reports and could decide to take additional action if the circumstances warrant.

You should be aware that EPA will be posting the non-CBI portions of the report for this facility on the Agency website shortly.

Given that the site visit related solely to structural stability of the management units, this report and its conclusions in no way relate to compliance with RCRA, CWA, or any other environmental law and are not intended to convey any position related to statutory or regulatory compliance.

If you have any questions concerning this matter, please contact Mr. Hoffman in the Office of Resource Conservation and Recovery at (703) 308-8413. Thank you for your continued ongoing efforts to ensure protection of human health and the environment.

Sincerely,
/Suzanne Rudzinski/, Director
Office of Resource Conservation and Recovery

Enclosures

Enclosure 2
Plant Jack Watson Recommendations

6.1 Urgent Action Items

None of the recommendations are considered urgent.

6.2 Long Term Improvement

The deficient conditions observed during the inspection do not require immediate attention, but should be implemented in the near future as part of a regular maintenance plan. The recommended maintenance /improvement action is as follows:

- The brush and trees growing on the outboard slope of the outboard bench should be cut and the slope surface turfed. This action will assist in the detection of seepage during future inspections and high pool elevations. It is noted that Mississippi Power initiated the removal of this vegetation following receipt of the draft of this report.

6.3 Monitoring and Future Inspection

O'Brien & Gere recommends continued participation in state inspections and annual inspections by Southern Company. Consideration should be given to development of an O & M Plan that would establish a firm schedule for operations, maintenance, and inspections activities.

6.4 Time Frame For Completion of Repairs/Improvements

The majority of the identified deficiencies were noted in the previous impoundment inspections by Southern company. Based on our conversations with representatives of Mississippi Power and Southern Company engineering recommendations for items such as erosion repairs have been developed and are on-going. We recommend that the owner continue this schedule as planned. We recommend that vegetation removal be completed prior to the next scheduled inspection by MDEQ, or by the end of 2010.